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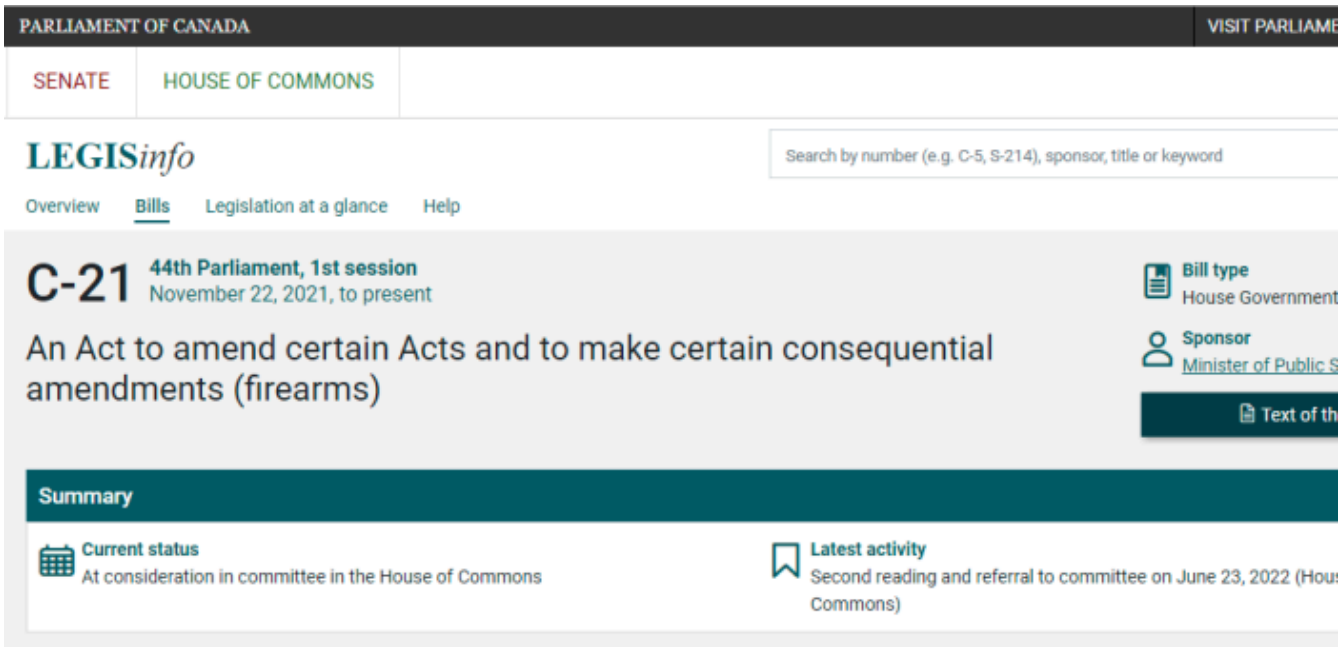
AUGUST 7, 2022 BY RONNIE

Bill C-21: Reintroduced Legislation To Whittle Away Gun Rights



Announcement From Mendicino Banning Imports Of Handguns Into Canada

Bill C-21 was introduced in the last session of Parliament, but died when there was an election called. However, it's been reintroduced, with some changes and new content. The changes primarily impact the Criminal Code and the Firearms Act.

It was recently announced, and covered by CPAC, that imports of handguns would be stopped by August 19, 2022. This was done by a regulatory change, without any democratic mandate or process. Seems that Ottawa doesn't want to wait or take that chance.

Of course, the "temporary" measure announced on August 5th would be effectively made permanent if and when Bill C-21 is ever passed.

None of this ever addresses the elephant in the room: most serious crimes with firearms involve *illegal* guns, whereas this Bill primarily targets law abiding citizens. It's almost as if there was some coordinated effort to disarm the population.

1. Adding "Red Flag" Laws To Canadian Criminal Code

> Application for emergency prohibition order
> 110.1 (1) ***Any person may make an ex parte application to a provincial court judge*** for an order prohibiting another person from possessing any firearm, cross-bow, prohibited

weapon, restricted weapon, prohibited device, ammunition, prohibited ammunition or explosive substance, or all such things, if the person believes on reasonable grounds that it is not desirable in the interests of the safety of the person against whom the order is sought or of any other person that the person against whom the order is sought should possess any such thing.

Emergency prohibition order
(2) If, at the conclusion of a hearing of an application made under subsection (1), the provincial court judge is satisfied that the circumstances referred to in that subsection exist and that an order should be made without delay to ensure the immediate protection of any person, the ***judge shall make an order prohibiting the person against whom the order is sought from possessing*** any firearm, cross-bow, prohibited weapon, restricted weapon, prohibited device, ammunition, prohibited ammunition or explosive substance, or all such things, for a period not exceeding 30 days, as is specified in the order, beginning on the day on which the order is made.

Service of order
(3) A copy of the order shall be served on the person to whom the order is addressed in the manner that the provincial court judge directs or in accordance with the rules of court.

Sections 109 and 110 of the Criminal Code call for people to be subjected to weapons prohibitions following convictions for certain offences. The proposed amendments would allow ordinary citizens to file an application to have another person's guns seized.

The hearings would generally be ex-parte, or without the participation of the other side. That doesn't really seem consistent with due process, or fairness.

There is a provision in the Bill to remove firearms if a protection order is issued against someone for domestic violence and/or stalking. However, that's always been a remedy.

2. Adding "Yellow Flag" Laws, Halt/Suspend Certificates

Refusal to issue — chief firearms officer
68 Insertion start(1)Insertion end A chief firearms officer shall refuse to issue a licence if the applicant is not eligible to hold one and may refuse to issue an authorization to carry

referred to in paragraph 20(b) or authorization to transport ***for any good and sufficient reason.***

Refusal to issue — Commissioner
Start of inserted block
(2) The Commissioner may refuse to issue an authorization to carry referred to in paragraph 20(a) ***for any good and sufficient reason***.

34 The Act is amended by adding the following after section 69:
Suspension
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69.1 (1) If a chief firearms officer ***has reasonable grounds to suspect***, on the basis of information that they have collected or received from any person, that the holder of a licence is no longer eligible to hold the licence, they may suspend, in respect of that licence, the holder's authorization to use, acquire and import firearms for a period of up to 30 days.

Revocation of licence or authorization
70 (1) A chief firearms officer may revoke a licence, an authorization to carry referred to in paragraph 20(b)Insertion end or an authorization to transport — Insertion startand the Commissioner may revoke an authorization to carry referred to in paragraph 20(a)Insertion end — ***for any good and sufficient reason including, without limiting the generality of the foregoing***,

A firearms officer can refuse to issue a permit "for any good and sufficient reason". However, it's not defined what a good and sufficient reason is This would make it almost entirely discretionary, and open to abuse. A license can also be suspended on those same grounds.

3. Prohibiting Any Sales Or Transfers Of Hundguns

Announcement From Mendicino About Freezing Hand Guns

Authorization to transfer prohibited or restricted firearms

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23.2 (1) A ***person may transfer a prohibited firearm or a restricted firearm*** if, at the time of the transfer,

(a) the transferee holds a licence authorizing the transferee to acquire and possess that kind of firearm;

(b) the transferor has no reason to believe that the transferee is not authorized to acquire and possess that kind of firearm;

(c) the transferor informs the Registrar of the transfer;

(d) if the transferee is an individual, the transferor informs a chief firearms officer of the transfer and obtains the authorization of the chief firearms officer for the transfer;

(e) a new registration certificate for the firearm is issued in accordance with this Act; and

(f) the prescribed conditions are met.

27 On being ***informed of a proposed transfer of a prohibited firearm or restricted firearm*** under section 23.2, a ***chief firearms officer shall***

(a) verify

(i) whether the transferee or individual holds a licence,

(ii) whether the transferee or individual is still eligible to hold that licence, and

(iii) whether the licence authorizes the transferee or individual to acquire that kind of firearm

> or to acquire prohibited weapons, prohibited devices, ammunition or prohibited ammunition, as the case may be;
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> .
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> (b) in the case of a proposed transfer of a restricted firearm or a handgun referred to in subsection 12(6.1) (pre-December 1, 1998 handguns), verify the purpose for which the transferee or individual wishes to acquire the restricted firearm or handgun and determine whether the particular restricted firearm or handgun is appropriate for that purpose;

These are Sections 23.2 and 27 of the Canada Firearms Act. It specifies the steps and actions needed to transfer a restricted or prohibited firearm from one party to another. Pretty straightforward. Bill C-21 would add an extra clause to that

> [Section 23.2]
> (d.1) if the transferee is an individual and the ***firearm is a handgun***, the individual is referred to in section 97.1;

> [Section 27]
> (iv) if the ***proposed transfer is in respect of a handgun***, whether the transferee is an individual referred to in section 97.1;

If a handgun is to be transferred to an individual, this would be referred to another portion of the Firearms Act. Section 97 allows the Governor in Council to restrict such sales or transfers.

4. Expanding Definition Of “Replica” Firearm

> 1 (1) The definition replica firearm in subsection 84(1) of the Criminal Code is replaced by the following:
> replica firearm means any device that is designed or intended to exactly resemble, or to resemble with near precision, a firearm ***that is designed or adapted to discharge a shot, bullet or other projectile at a muzzle velocity exceeding 152.4 m per second and at a muzzle energy exceeding 5.7 Joules***, and that itself is not a firearm, but does not include any such device that is designed or intended to exactly resemble, or to resemble with near precision, an antique firearm;

Changes to the criminal code would list that a replica firearm that can fire a projectile at a certain speed)(or with a certain amount of energy) can be prohibited. This could include things like paintball guns, which have valid recreational uses. Problem is, “exactly resemble” is subjective.

5. Other Thoughts On The Matter

There are a few small points which seem beneficial, such as making it harder for foreigners to enter Canada if they have convictions for certain firearms offences. But overall, that doesn’t offset the erosion of rights that’s being done with this legislation.

Another section would create a new criminal offence for altering the capacity of a magazine (allowing it to hold more bullets than allowed). While it sounds fine on the surface, someone with an illegal or stolen gun wouldn’t care about such things.

These measures do little to target crime. Instead, they restrict the rights of people to legally possess and use guns. Strange how that always seems to be the group of people these Bills hit.

Do read the entire Bill, as this critique is not exhaustive. It would be impractical for the Government to simply ban guns right away — though many would like to. Instead, introducing these measures bit by bit seems to be the way forward.

(1) https://www.cpac.ca/episode?id=38406422-ecdb-494b-8439-a1fbdeaf4e28
(2) https://www.laws-lois.justice.gc.ca/eng/acts/f-11.6/FullText.html
(3) https://www.laws-lois.justice.gc.ca/eng/acts/C-46/index.html
(4) https://canucklaw.ca/ottawa-to-ban-handgun-imports-august-19th-using-regulatory-measure/
(5) https://www.parl.ca/legisinfo/en/bill/43-2/c-21
(6) https://www.parl.ca/DocumentViewer/en/43-2/bill/C-21/first-reading
(7) https://www.parl.ca/legisinfo/en/bill/44-1/c-21
(8) https://www.parl.ca/DocumentViewer/en/44-1/bill/C-21/first-reading

CANADA, CANADIAN BILLS, CRIMINAL, GLOBALISM, GUN RIGHTS, DISARMAMENT, SUBVERSION

One Reply to “Bill C-21: Reintroduced Legislation To Whittle Away Gun Rights”

gracejoubarne461654805

AUGUST 8, 2022 AT 6:36 AM

History has shown that before everymassacre, the government either seizes guns and interferes with the populations ability to defend itself, or it convinces the population to do so willingly.

Unfortunately, Canadians don’t think that history applies to them.